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February 4, 2003

EX PARTE

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: ***Ex Parte***
In the Matter of Revision of Part 15 of the Commission's
Rules Regarding Ultra-Wideband Transmission Systems,
ET Docket No. 98-153

Dear Ms. Dortch:

This letter is submitted on behalf of Home Box Office, a Division of Time Warner Entertainment Company L.P. ("HBO") and Turner Broadcasting System, Inc. ("TBS") in support of the petition for reconsideration and related studies filed in the above-referenced proceeding by the Satellite Industry Association ("SIA"). Although HBO/TBS support the development of Ultra-Wideband ("UWB") transmission systems as contemplated by the Commission in this proceeding, further analysis and testing are necessary with respect to the deployment of UWB devices using certain satellite reception frequencies.

Based on the studies done by SIA and some of its members, it appears highly likely that, without certain modifications to the Commission's UWB rules, UWB devices will cause significant interference to the reception of satellite signals in the C-band frequencies (3.7 – 4.2 GHz). Because the C-band frequencies are used for program distribution by HBO/TBS and almost all other cable and broadcast television networks, it is imperative that further analysis be done, and appropriate technical revisions be made in the FCC's UWB rules, to ensure that UWB technology can be deployed without disrupting television service to millions of consumers.

HBO/TBS are major users of domestic C-band satellites to distribute multiple television networks to approximately 19 thousand C-band

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commercial reception points (e.g., cable television headends, SMATV locations, hotels) and more than 400 thousand C-band individual television receive-only ("TVRO") earth stations. One or more of TBS's networks (e.g., CNN, Headline News, TNT, TBS) reach more than 88 million television subscribers and HBO's premium services (HBO and Cinemax) reach more than 39 million subscribers. HBO/TBS together utilize 26 transponders on nine C-band satellites for their services.

The studies submitted to the Commission by SIA demonstrate that the peak emission limits the Commission adopted for UWB devices are not sufficient to protect the thousands of C-band receive antennas deployed nationwide from harmful interference. In fact, studies show that UWB devices operating at their allowed peak power densities could interfere with C-band reception at distances of up to 4.4 kilometers between a UWB device and a satellite earth station. Given this interference potential, it is highly likely that widespread deployment of UWB devices under current technical rules would cause significant disruption to television network distribution.

Because of the substantial likelihood of interference, HBO/TBS submit that further study and testing of the use of C-band frequencies by UWB devices are required. HBO/TBS believe that the additional analysis will generate a "win-win" solution to UWB/C-band satellite frequency sharing through changes in the peak power density and pulse repetition frequency parameters currently permitted for UWB devices.

Based on the foregoing, HBO/TBS urge the Commission to defer adopting final technical rules for UWB devices until the C-band interference potential can be further studied and appropriate remedies adopted.

Respectfully submitted,

/s/

Benjamin J. Griffin

Counsel for HBO/TBS

BJG:jw

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cc: Chairman Michael K. Powell
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